



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT
LANSING



REBECCA A. HUMPHRIES
DIRECTOR

December 3, 2010

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Mr. Robert J. Lewis, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and
Environmental Management Program
United States Nuclear Regulatory Commission
Washington, DC 20555-0001

MI DEPT OF COMMUNITY HEALTH

Dear Mr. Lewis:

This is in response to your letter dated September 14, 2010, requesting an update on the State of Michigan's plans to enter into an Agreement with the United States Nuclear Regulatory Commission (NRC).

On July 31, 2007, Governor Jennifer M. Granholm signed a "Letter of Intent" indicating that Michigan would pursue an Agreement with the NRC. Since then, staff has worked with stakeholders and completed draft rules corresponding to Title 10 of the Code of Federal Regulations (CFR), Part 19, Notices, Instructions and Reports to Workers: Inspection and Investigations, and to 10 CFR, Part 20, Standards for Protection Against Radiation. We have also drafted statutory changes necessary for Michigan to implement an Agreement with the NRC.

Our current implementation plan for an Agreement includes a four-year time line commencing when funding becomes available either through a statutory amendment or other avenues. The plan indicates that a complete draft application package would be formally submitted for NRC staff review about 2 1/2 years into the process. If a source of funding becomes available by March 2011, the application package would be submitted no earlier than September 2013.

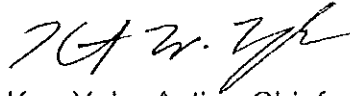
In January 2011 Michigan will have a new Governor and Legislature. We are planning to brief the new department director and Governor's office staff so they can determine if Michigan becoming an Agreement State will be a priority during their administration. We will inform you of their decision.

While the spirit behind the "Letter of Intent" is still alive, progress toward meeting the letter's objectives has stalled and should be considered on hold. The proposed date of September 2011 to become an Agreement State will not be achievable and, at this stage, the proposed date should be considered as "to be determined."

Mr. Robert J. Lewis
Page 2
December 3, 2010

If you have any questions, please contact me via telephone; yalek@michigan.gov; or Department of Natural Resources and Environment (DNRE), Environmental Resource Management Division, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Yale", with a stylized flourish at the end.

Ken Yale, Acting Chief
Radiological Protection Section
Environmental Resource Management Division
517-241-1278

KY:JK

cc: Mr. Nick Lyon, Senior Deputy Director, Michigan Department of Community Health
Ms. Melanie Brim, Michigan Department of Community Health
Mr. Mike Pemble, Michigan Department of Community Health
Mr. Jim Scott, Michigan Department of Community Health
Mr. Bruce Matkovich, Michigan Department of Community Health
Mr. Jim Sygo, Deputy Director, Environmental Protection, DNRE
Ms. Liane Shekter Smith, DNRE
Ms. Elizabeth M. Browne, DNRE